

## **REMARKS**

The English language application filed herewith is a translation into English of the parent application (International Application No. PCT/EP2005/003013 filed on March 22, 2005). References herein to paragraph numbers of the parent application relate to the English language version.

### **A. AMENDMENTS IN THE SPECIFICATION**

Amendment of the specification by insertion of new paragraph [0000] is requested to provide cross-reference to, and claim benefit of, and incorporate by reference prior applications in accordance with 37 C.F.R. §§ 1.55, 1.57(a) and 1.78(a), and to cross-reference pending related U.S. applications in compliance with 37 C.F.R. § 1.57(d).

Section headings have been inserted into the specification in accordance with 37 C.F.R. § 1.77(b). The FIELD OF THE INVENTION section has support in the specification as originally filed, for instance at paragraphs [0018] and [0066]. Additionally, under the new SUMMARY OF THE INVENTION section heading, four new paragraphs have been added. Support for these paragraphs is found in the parent application as originally filed, for example at paragraphs [0002], [0005], and [0025] (new paragraph [0017.1]); at paragraphs [0066] – [0068] (new paragraph [0017.2]); at paragraphs [0059] – [0063] and [0068] (new paragraph [0017.3]); and at paragraph [0068] (new paragraph [0017.4]).

In general, replacement paragraphs [0001], [0003] – [0004], [0006], [0008], [0010], [0013], [0016], [0018], [0020], [0022] – [0023], [0026], [0030] – [0048], [0051], [0054] – [0055], [0057] – [0058], [0061] – [0063], and [0068] include various minor amendments. Opportunity is taken to correct minor spelling, grammatical and/or syntactical deficiencies in these paragraphs, some of which may have arisen from translation, and thereby enhance clarity of disclosure of the invention.

Paragraph [0007] is deleted and the subject matter of the paragraph inserted in replacement paragraph [0006].

Replacement paragraphs [0013] and [0030] clarify that rotigotine is the (S) enantiomer of 5,6,7,8-tetrahydro-6-[propyl[2-(2-thienyl)ethyl] amino]-1-naphtol. Support for these amendments is found in the specification at least at paragraph [0056].

Replacement paragraph [0018] is amended to insert the word “in mammals” in the phrase “has neuroprotective properties” to recite that the embodiments described therein relate to a method for treating and/or preventing Parkinson’s plus syndrome in a mammal.

Serial No. to be assigned  
6102-000048/US/NP  
Preliminary Amendment (Amendment A)  
September 22, 200617

Support for this amendment is found in the specification as originally filed, for example at paragraphs [0020] – [0024].

Paragraph [0022] is amended to recite that the MPTP model is the particular model used to reflect the progressive course of dopaminergic cell destruction in primates. Support is found in the specification, for example, at paragraph [0017].

Replacement paragraph [0023] clarifies that the striatum where the density of the nerve endings was higher was that “of the treated animals.” Support is found in the same paragraph as originally filed.

**B. AMENDMENTS IN THE CLAIMS**

By amendment of the claims herein, Claims 1- 7 are cancelled without prejudice. It will be noted that these original claims were presented in so-called “Swiss form”. Applicant elects in the present application to prosecute claims to a method for treating Parkinson’s plus syndrome, as presented herein in Claims 8-31, but in doing so makes no admission as to patentability or lack thereof with respect to the now cancelled “Swiss form” claims.

The following claims are now pending in the present application: Claims 8-31. Each of these claims finds support in the parent application as filed, as indicated below.

New Claims 8 - 11, 14, and 19 - 20 will be seen to correspond substantially to original Claims 1- 7. Support for these new claims is found in the parent application at least in these original claims. Further support is found in the specification as originally filed, for example at paragraph [0028] (Claim 8), paragraph [0002] (Claim 9), paragraph [0005] (Claim 10), paragraphs [0059] – [0063] (Claim 11), paragraph [0064] (Claim 14), and paragraph [0031] (Claims 19 - 20).

It is also noted that new Claim 11 further recites oral administration of the compound. Support for this element of the claim is found in the specification as originally filed, for example at paragraph [0068].

New Claim 12 is drawn to a compound that provides an extensively constant plasma level of rotigotine over an application interval. Support for this claim is found in the originally filed application at least at paragraph [0061].

New Claim 13, which recites administration of the preparation transdermally, finds support at least at paragraph [0061].

New Claims 15-18, which recite plasma levels of rotigotine, is supported in the specification as originally filed, for example at paragraph [0055].

Serial No. to be assigned  
6102-000048/US/NP  
Preliminary Amendment (Amendment A)  
September 22, 2006

New Claim 21, drawn to rotigotine hydrochloride, finds support in the original specification, for example at paragraph [0057].

New Claims 22-24 are drawn to administration of a further active agent either simultaneously or in a temporally graduated manner. Support for these claims is found at least at paragraphs [0066] and [0068].

New Claims 25-28 are drawn to therapeutic combinations and a method for using a therapeutic combination comprising rotigotine and at least one further active substance. Support for these claims is found in the specification as originally filed, for instance at paragraphs [0019] and [0066] – [0068].

New Claims 29 and 30 recite a pharmaceutical form comprising the aforementioned therapeutic combination for treatment and/or prevention of Parkinson's plus syndrome. Support for these claims is found in the parent specification at least at paragraph [0068].

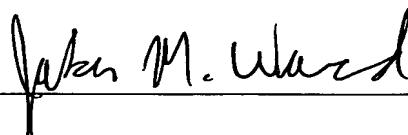
New Claim 31, drawn to a kit for treatment and/or prevention of a Parkinson's plus syndrome, also find support in the originally filed application at paragraphs [0019] and [0068].

Claims 8-31 therefore find support in the parent application as filed. No new matter is introduced by the present amendment. No changes in inventorship are believed to result from the present amendment. Examination of the present application is requested following entry of this amendment.

Respectfully submitted,  
HARNESS, DICKEY & PIERCE, P.L.C.

Dated: September 02, 2006

By:

  
Jake M. Ward

Jake M. Ward  
Attorney for Applicant  
Reg. No. 56,754

HARNESS, DICKEY & PIERCE, P.L.C.  
7700 Bonhomme, Suite 400  
St. Louis, MO 63105  
(248) 641-1281

JCF/JAW